



State of Utah

Department of
Environmental Quality

Dianne R. Nielson, Ph.D.
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

JON M. HUNSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

M0176001

September 28, 2006

Ms. Christy Woodward, P.E.
Tetra Tech, Inc.
950 17th Street, 22nd Floor
Denver, CO 80202

Dear Ms. Woodward:

Subject: Ground Water Discharge Permit-By-Rule Request for the IUC
Tony M Mine Evaporation Pond: **Request for Information**

The Division of Water Quality (DWQ) received the subject request dated September 6, 2006, and received on September 20, 2006. Your request was based on the R317-6-6.2A.6 permit-by-rule case which applies to: *"natural ground water seeping or flowing into conventional mine workings which re-enters the ground by natural gravity flow prior to pumping or transporting out of the mine and without being used in any mining or metallurgical process;"*. This particular case applies to dewatering ground water from mine workings and rerouting the ground water to other mine workings at different levels, and specifically excludes ground water pumped or transported to the surface. However, permit-by-rule status may be granted if you can demonstrate that any potential discharge from the evaporation pond will have a de minimis actual or potential effect on ground water quality and will not cause ground water to exceed ground water quality standards or the applicable class TDS limits in R317-6-3.1 to R317-6-3.7. In addition, if the background concentration for affected ground water exceeds the ground water quality standard, the facility may not cause an increase over background.

To allow us to complete our evaluation of your permit-by-rule request, we are requesting additional information that characterizes the surface and subsurface geology and hydrogeology of the pond site including:

1. A geologic map that identifies and describes the surficial geologic formations including lithology;
2. A geologic cross section that identifies and describes all subsurface geologic formations and hydrostratigraphic units (aquifers and aquitards) including well logs, formation contacts, formation thicknesses, lithology, ground water levels, ground water sample locations, and mine workings; and
3. Ground water quality data for total dissolved solids, radiologics, and metals, and the name of the aquifer or formation that was sampled.

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Your submittal included much useful ground water quality data and geotechnical data. However, without the geologic and hydrogeologic information associated with these data, it is difficult to complete our evaluation. After we have received the information requested above, we can complete our evaluation to determine if the subject facility qualifies for permit-by-rule status.

Please be advised that even if DWQ determines that this facility qualifies for permit-by-rule status, International Uranium Corporation will need to obtain a construction permit prior to pond construction. The first step in this process will be to submit engineering design plans and specifications to DWQ that have been prepared by a professional engineer licensed in the State of Utah. In addition, an independent third party construction quality assurance and quality control (CQA/QC) contractor will be required to certify the construction and submit a CQA/QC certification report for review and approval by DWQ.

If you have any questions about this request for information, please contact me at (801) 538-6038 or rherbert@utah.gov.

Sincerely,



Rob Herbert, P.G., Manager
Ground Water Protection Section

RH:mr

Cc: Paul Baker and Doug Jensen, DOGM
Loren Morton, DRC

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